

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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4-11-3 2



APPLICANT: Atsuo Omaru, et al. ATTY. DOCKET NO. 09792909-4809
SERIAL NO. 09/810,962 GROUP ART UNIT: 1745
FILING DATE: March 16, 2001 EXAMINER: T. Dove
INVENTION: "NON-AQUEOUS ELECTROLYTE SECONDARY BATTERY AND
METHOD OF PREPARING CARBON-BASED MATERIAL FOR
NEGATIVE ELECTRODE"

AMENDMENT "A"

Asst. Commissioner of Patents
Washington, D.C. 20231

S I R:

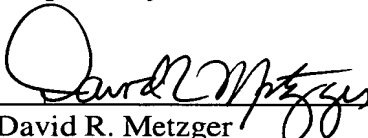
This amendment is being filed in response to the Office communication dated March 6, 2003. Please reconsider the application in view of the amendment and remarks presented below.

ELECTION OF CLAIMS

In the Office Action of March 6, 2003, the examiner requested an election of claims pursuant to a restriction requirement under 35 U.S.C. §121 between Group I claims 1-14 drawn to a battery with a graphite negative electrode, and Group II claims 15-46 drawn to a method of preparing carbon.

In response, applicant hereby elects examination of Group I claims 1-14.

Respectfully submitted,


_____, Reg. 32,919
David R. Metzger
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Attorneys for Applicants

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1745

IN RE APPLICATION OF: Atsuo Omaru, et al.

ATTORNEY DOCKET NO. 09792909-4809

SERIAL NO.: 09/810,962

GROUP ART UNIT: 1745

FILED: March 16, 2001

EXAMINER: T. Dove

FOR: "NON-AQUEOUS ELECTROLYTE SECONDARY BATTERY AND METHOD OF PREPARING CARBON-BASED MATERIAL FOR NEGATIVE ELECTRODE"

AMENDMENT "A"

Hon. Assistant Commissioner of Patents
Washington D.C. 20231

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GROUP 1700

SIR:

Transmitted herewith is an amendment in the above-identified application.

☒ No additional claim fee is required.

The fee has been calculated as shown below.

CLAIMS AS AMENDED						
	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEE
TOTAL CLAIMS		MINUS	-20		() X 9.00 () X 18.00	
INDEP. CLAIMS		MINUS	3		() X 42.00 () X 84.00	
Application amended to contain any multiple dependent claims not previously paid for.				() YES () NO	() \$140.00 () \$280.00 ONE TIME	
				TOTAL ADDITIONAL FEE FOR THIS AMENDMENT		

* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20 write "20" in this space.

- ☐ Applicant petitions the Commissioner of Patents and Trademarks to extend this time for response to the Office Action dated _____ for _____ month(s) so that the period for response is extended to _____. The Commissioner is authorized to charge the fee of \$_____ for the extension to American Express Account No. 378571697401002. PTO Form 2038 is attached for that purpose.
- ☐ The Commissioner is authorized and requested to charge the amount of \$_____ to cover the additional claim fee to American Express Account No. 378571697401002. PTO Form 2038 is attached for that purpose.
- ☐ A check for \$_____ accompanying attached Terminal Disclaimer under 37 C.F.R. §1.321.
- ☐ A check for \$_____ for Amendment Under 37 C.F.R. 1.312(b) is attached.
- ☒ The Commissioner is hereby authorized to charge the extension fee and any additional fees which may be required, or to credit any overpayment to account No. 19-3140. A duplicate of this sheet is enclosed.
- When phoning re this application, please call 312/876-8000 - Ext. 12578.

SONNENSCHN NATH & ROSENTHAL

BY David R. Metzger (Reg. No. 32,919)
David R. Metzger**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231 on April 3, 2003.

David R. Metzger
SIGNATURE
April 3, 2003